



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/651,976	08/31/2000	Yaqi Chen	TI-28222	3070

7590

03/12/2004

Robert C Klinger  
Jackson Walker L L P  
2435 North Central Expressway  
Suite 600  
Richardson, TX 75080

EXAMINER

WILLIAMS, LAWRENCE B

ART UNIT

PAPER NUMBER

2634

DATE MAILED: 03/12/2004

6

Please find below and/or attached an Office communication concerning this application or proceeding.

PA

# Office Action Summary

Application No.

09/651,976

Applicant(s)

CHEN ET AL.

Examiner

Lawrence B Williams

Art Unit

2634

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 31 August 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 17-20 is/are allowed.
- 6) ☐ Claim(s) 1-4 and 7-13 is/are rejected.
- 7) ☒ Claim(s) 5, 6, 14-16 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 July 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 1.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Specification*

1. The abstract of the disclosure is objected to because applicant makes reference to “the superframe” in line 14. There is no antecedent basis for “the superframe”. Correction is required. See MPEP § 608.01(b).

2. The disclosure is objected to because of the following informalities:

a.) Examiner suggests applicant rewrite lines 13-15 of page 8 for clarification purposes.

b.) Applicant makes reference to “the superframe” in line 9 of page 7. There is no antecedent basis for “the superframe”.

Appropriate correction is required.

3. The specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

### *Claim Rejections - 35 USC § 102*

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-4, and 7-13 are rejected under 35 U.S.C. 102(b) as being anticipated by Tonnyby et al. (US Patent 6,295,293).

(1) With regard to claim 1, Tonnby et al. discloses in Figs. 1, 4, 8, 9, a communication network, comprising: a network node; a first terminal having a first modem (28, col. 5, lines 20-25) connected to said network node via a master communication loop; and a second terminal having a second modem (39, 40) also connected to said network node via said master communication loop, wherein the first and second terminals are adapted to communicate with the network node and each other (col. 5, lines 16-19) with signals compatible with ADSL standards (col. 14, lines 47-56).

(2) With regard to claim 2, Tonnby et al. also discloses in Figs. 6 and 8 wherein the first terminal (39) and second terminal (40) are locally proximate one another.

(3) With regard to claim 3, Tonnby et al. also discloses wherein the master communication loop comprises a twisted pair of conductors (col. 10, lines 12-23).

(4) With regard to claim 4, Tonnby et al. also discloses wherein the network node is adapted to permit and enable the first terminal to communicate with the second terminal via the network node (col. 8, lines 31-55).

(5) With regard to claim 7, Tonnby et al. also discloses wherein the first terminal and second terminal are adapted to simultaneously communicate over said common master communication loop with said network node (col. 4, lines 7-11).

(6) With regard to claim 8, Tonnby et al. discloses the access lines protocols to be of any variant of xDSL. It is well known in the art that xDSL technology incorporates a frequency division technique.

(7) With regard to claim 9, Tonnby et al. also discloses in Fig. 10, wherein the network node is a central office (CO) located remote from both said first and second terminal (col. 13, lines 23-25).

(8) With regard to claim 10, Tonnby et al. also discloses in Fig. 1, wherein the first terminal is a personal computer.

(9) With regard to claim 11, claim 11 inherits all limitations of claim 1 above.

(10) With regard to claim 12, claim 12 inherits the limitations of claims 2, 4 and 12.

(11) With regard to claim 13, claim 13 inherits the limitations of claims 3 and 14.

#### ***Allowable Subject Matter***

6. Claims 17-20 are allowed.

7. Claims 5, 6 and 14-16 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

#### ***Conclusion***

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lawrence B Williams whose telephone number is 703-305-6969. The examiner can normally be reached on Monday-Friday (8:00-5:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Chin can be reached on 703-305-4714. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.


Art Unit: 2634

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Lawrence B. Williams

lbw

February 26, 2004

  
STEPHEN CHIN  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600